

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

RANDY RICHMOND,  
 #68978

Plaintiff,

vs.

BOARD OF PAROLE  
 COMMISSIONERS, *et al.*,

Defendants.

3:11-cv-00884-RCJ-WGC

**ORDER**

Petitioner filed an application to proceed *in forma pauperis* and submitted a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 and a motion for appointment of counsel. However, his allegations of Fourteenth Amendment due process violations related to his conditions of confinement sound in civil rights. Accordingly, this petition is dismissed. If petitioner wishes to pursue his claims, he shall file a civil rights complaint pursuant to 42 U.S.C. § 1983 on the court-approved form in a new case with a new case number. He shall also include an application to proceed *in forma pauperis* with all of the requisite financial information, or the full filing fee.

**IT IS THEREFORE ORDERED** that petitioner's application to proceed *in forma pauperis* (ECF #1) is **DENIED**.

**IT IS FURTHER ORDERED** that the Clerk shall detach and **FILE** the petition (ECF

1 #1-1).

2 **IT IS FURTHER ORDERED** that the petition is **DISMISSED**.

3 **IT IS FURTHER ORDERED** that the Clerk **SHALL SEND** to plaintiff the approved  
4 forms for filing a civil rights lawsuits under 42 U.S.C. §1983 and an Application to Proceed *In Forma*  
5 *Pauperis* by a prisoner, as well as the document "Information and Instructions for Filing a Motion to  
6 Proceed In Forma Pauperis."

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8 DATED: This 10th day of January, 2012.

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10 UNITED STATES DISTRICT JUDGE  
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